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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,392	01/12/2001	David William Glasspool	12795-002001	1759

7590  
TIMOTHY A. FRENCH  
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225 Franklin Street  
Boston, MA 02110-2804

05/03/2007

EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
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2162

MAIL DATE	DELIVERY MODE
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05/03/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/760,392	GLASSPOOL ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jean M. Corrielus	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

1. This office action is in response to the election of the restriction requirement filed on January 12, 2001, in which claims 1-23 are elected for examination.

***Information Disclosure Statement***

2. The information disclosure statement (IDS) filed on August 24, 2005 and November 13, 2002 complies with the provisions of M.P.E.P 609. It has been placed in the application file. The information referred to therein has been considered as to the merits.

***Drawings***

3. Applicants are required to furnish the formal drawings in response to this office action if the formal drawings have not been submitted. No new matter may be introduced in the required drawings. Failure to timely submit a drawing will result in ABANDONMENT of the application.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

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evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freidman et al., (hereinafter "Freidman") US Patent no. 6,360,188 and Thalhammer-Reyero; Cristina (hereinafter "Cristina") US Patent no. 5,980,096

As to claims 1 and 17, Freidman is directed to planning, modeling system for providing a graphical user interface including timeframe of time related properties for the component objects. In particular, Freidman discloses the claimed "means for displaying a visual representation of a plurality of schedule elements along a time line" (displaying components object scheduling along with timeline representing the start and end times for the component objects, see col.3, lines 56-61); "means for enabling manipulation, by a user, of relative positions and extents of the plurality of schedule elements along the time line to form a plan" (timeline extends in a first direction with a plurality of spaced object line parallel to the timelines, see col.3, lines 56-60); "a database of relationship data including interdependencies and planning constraints between specified ones of the schedule elements" (see col.4, lines 1-15). However, Freidman does not explicitly disclose "a domain-specific knowledge database of outcome measures providing quantitative or qualitative measures of outcomes consequent on specific schedule elements or specific combinations, sequential or otherwise, of schedule elements on the plan according to a predetermined domain of use of the planning apparatus; means for displaying, during or after manipulation of events by the user, selected outcome measures

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resulting from the specific sequence of schedule elements currently displayed". On the other hand, Cristina discloses an analogous system that provides a graphical interface and associated methods to develop domain specific applications that can be used as a shell environment for both development and deployment of domain specific visual databases, modeling and simulation applications. In particular, Cristina discloses the claimed limitations "a domain-specific knowledge database of outcome measures providing quantitative or qualitative measures of outcomes consequent on specific schedule elements or specific combinations, sequential or otherwise, of schedule elements on the plan according to a predetermined domain of use of the planning apparatus; means for displaying, during or after manipulation of events by the user, selected outcome measures resulting from the specific sequence of schedule elements currently displayed" (col.3, lines 46-62; col.10, lines 28-40; col.21, lines 20-28). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, wherein the time based modeling as disclosed by Freidman would incorporate a domain specific knowledge database, in the same conventional manner as disclosed by Cristina, see col.3, lines 46-62; col.10, lines 28-40; col.21, lines 20-28. One having ordinary skill in the art would have found it motivated to use such a domain specific knowledge database of Cristina into the system of Freidman for the purpose of providing a variety of alternative to deal with complex dynamic system, thereby allowing the application specific knowledge database to expand without affecting the basic operation of the system (col.5, lines 1-30).

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As to claims 2-16, Freidman and Cristina disclose substantially the invention as claimed. In addition Freidman discloses planned actions, past actions, anticipated events; planning constraints between specified ones of the scheduled events includes rules” (col.14, lines 65-67; col.15, lines 53-55; col.17, lines 35-40; and col.22, lines 18-23). However, Freidman does not disclose the use of “a quantitative measure of the strength of the logical arguments and outcome measures includes quantitative measures of risk”. Cristina discloses “a quantitative measure of the strength of the logical arguments and outcome measures includes quantitative measures of risk (col.3, lines 46-62; col.10, lines 28-40; col.21, lines 20-28). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of the cited references, wherein the time based modeling as disclosed by Freidman would incorporate a domain specific knowledge database, in the same conventional manner as disclosed by Cristina, see col.3, lines 46-62; col.10, lines 28-40; col.21, lines 20-28. One having ordinary skill in the art would have found it motivated to use such a domain specific knowledge database of Cristina into the system of Freidman for the purpose of providing a variety of alternative to deal with complex dynamic system, thereby allowing the application specific knowledge database to expand without affecting the basic operation of the system (col.5, lines 1-30).

As to claims 17-20:

The limitations of claims 17-20 have mentioned in the rejection of claims 1-16 above. They are, therefore, rejected under the same rationale.

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As to claims 21-22:

Claims 21-22 are method claimed use to perform the apparatus of claims 1-20 above. They are, therefore, rejected under the same rationale.

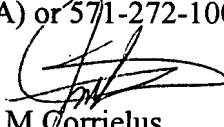
***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (571) 272-4032.

The examiner can normally be reached on 10 hours shift.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Jean M Corrielus  
Primary Examiner  
Art Unit 2162

April 30, 2007